



***Equal Opportunity/Affirmative  
Action Plan***

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Fair Employment Compliance Officer  
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# MISSION STATEMENT

**To** create a workplace that reflects the community

**To** embrace the characteristics that individuals from diverse groups bring to the workplace

**To** value our differences and herald our coming together to provide quality public services in the community



Clark County Government is committed to equal opportunities for all, and now strives to be a model for all employers who recognize the value of a diverse workforce.

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**Clark County**  
**Equal Opportunity, Affirmative Action**  
**And Sexual Harassment**  
**Policy Statement**

Clark County is an equal opportunity employer and will not discriminate on the basis of race, color, religion, sex, age, national origin, disability status, sexual orientation, or gender identity or expression in employment. In accordance with State and/or Federal laws, the Board of County Commissioners is committed to an Equal Opportunity, Affirmative Action and Sexual Harassment Policy, which prohibit unlawful discrimination.

In addition, Clark County will not tolerate sexual harassment of a County employee by another employee or official of the County. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct, explicitly or implicitly, affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment. Such discrimination violates Title VII of the Civil Rights Act of 1964, as amended, and is strictly prohibited at Clark County.

The County's Equal Opportunity, Affirmative Action and Sexual Harassment Policy is based on the following principles:

1. To recruit, hire, compensate, train, evaluate, and promote employees without regard to race, color, religion, sex, age, national origin, disability status, sexual orientation, or gender identity or expression except where sex, mental, or physical requirements constitute bona fide occupational qualifications necessary to efficient job performance. The County will take Affirmative Action in support of equal opportunity in recruitment, hiring, career advancement, and treatment of employees.
2. To ensure that policies regarding all terms and conditions of employment will be administered without regard to race, color, religion, sex, age, national origin, disability status, sexual orientation, or gender identity or expression.
3. To ensure that the workplace for County employees is free of sexual harassment.

The County Manager will administer the Policy and will assign department heads and other staff as necessary to implement the Policy.



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STEVE SISOLAK, Chair  
Board of County Commissioners



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DONALD G. BURNETTE  
County Manager

## **I. DISSEMINATION OF POLICY**

1. Clark County's Policy and associated bulletins will be posted conspicuously in County buildings.
2. A copy of the Policy will be kept in each department and will be provided to each County employee.
3. The orientation of new employees shall include an explanation of the Policy and each new employee will be given a copy of the Policy.
4. All recruiting sources used by the County will be informed in writing of the County's Equal Opportunity, Affirmative Action and Sexual Harassment Policy as applicable to referral of applicants to the County. Participation in job fairs, career days, professional seminars, and communication with minority and women's organizations, vocational rehabilitation agencies, community groups, secondary schools, colleges and universities is encouraged to further support the County's Policy.
5. All recruiting announcements, literature, and application forms will identify Clark County as an Equal Opportunity Employer.

## **II. IMPLEMENTATION OF POLICY**

County officials and employees have responsibilities in the implementation of the Equal Opportunity, Affirmative Action and Sexual Harassment Policy as outlined below:

1. County Manager

- A. Issue the County's Equal Opportunity, Affirmative Action and Sexual Harassment Policy.
- B. Assure that the Policy is carried out within the County.
- C. Assign department heads and other staff to perform such functions as are necessary to ensure compliance.

2. Department Heads

- A. Implement the policy within their departments.
- B. Periodically review department practices to remove obstacles, which may impede equal opportunity objectives.
- C. Effectively participate in the identification, referral, and resolution of problem areas within their departments.

3. Other Staff

The County Manager will assign staff to perform the following functions:

A. Recruitment

- (1) Initiate and maintain communications with organizations reaching minorities, women and individuals with disabilities to provide information on employment opportunities and to seek input from such groups in structuring an effective recruitment program.

- 2) Announce job openings to reach minorities, women and individuals with disabilities by posting in appropriate locations and mailing to appropriate institutions, groups and agencies
- 3) Monitor the application process and applicant data to determine effective ways to reach minorities, women, and disabled applicants.

B. Hiring

- (1) Review the knowledge, skills, abilities, and education and experience requirements of jobs to ensure posted qualifications are job-related.
- (2) Monitor testing, interview processes, and composition of interview panels to avoid unlawful discrimination.
- (3) As appropriate, provide interviewers with guidelines and/or training to promote objective assessment of the abilities of candidates.
- (4) As appropriate, conduct post-selection assessment including reasons for non-selection to ensure selection is based on job-related factors.

C. Compensation

- 1) Periodically review salary structures to assure equal pay for equal work regardless of sex, or other protected category.
- 2) Conduct position audits to avoid inequities in position classifications.

D. Training

- 1) Effectively encourage all employees to participate in County-provided training and tuition reimbursement. Monitor participation to ensure equitable access to training.



- (2) Provide Equal Opportunity, Affirmative Action, Sexual Harassment Policy training, and Diversity Management training to supervisors, and ensure that all new employees are acquainted with the County's Policy and diversity in employment objectives.

#### E. Performance Evaluation

- (1) Review the performance rating system to verify objectivity. Recommend changes in the system as necessary to comply with the County's Policy.
- (2) Provide appropriate training in administering performance evaluations to supervisory personnel as required.

#### F. Promotion

- (1) Offer career counseling to employees to identify promotional opportunities and training needs, and to encourage preparation and application for career advancement. Publicize promotional opportunities throughout the County.

### **III. OFFICE OF DIVERSITY SUPPORT SERVICES**

The County Manager will designate an Office of Diversity Director and staff to perform the following services in support of the County's Policy. The County Manager may also assign duties under Section II Policy Implementation to the Director and such staff.

#### A. Reporting and Monitoring

1. The County Manager will assign staff to complete reports or analyses required by federal and state law or regulation including but not limited to the United States Equal Employment Opportunity Commission.

2. Staff may also be assigned to conduct studies and compile hiring applications and employment statistics to monitor the status of the County's Equal Opportunity, Affirmative Action and anti-sexual harassment efforts. Any such studies, reports or materials, which are generated for the purpose of self-critical analyses are confidential.

B. Americans with Disabilities Act

1. Facilitate compliance with the Americans with Disabilities Act through intake of requests for accommodations.

C. Section 504 of The Rehabilitation Act

1. Coordinate and facilitate compliance with Section 504 of the Rehabilitation Act.
2. Receive process and/or investigate complaints of non-compliance with this Act and ADA Title II. (See also OOD website for additional information on Section 504 and ADA Title II complaint process.)

D. Investigation of Complaints

1. An employee or applicant may file a complaint with the County's Office of Diversity (OOD). An employee may file a complaint under a section of the collective bargaining agreement specifically designating OOD as the Office to which such complaints will be referred. All complaints should be submitted in the written format prescribed by the County Manager. Employees or applicants will not be subject to retaliation, reprisal, intimidation, harassment, or modification of employment status as a result of filing a complaint.
2. A complaint alleging unlawful discrimination and/or sexual harassment must be filed within the statute of limitations set by state and federal enforcement agencies having jurisdiction over the alleged unlawful activity

- 3 A complainant may not file a complaint of discrimination with OOD if any other county, state or federal administrative body or officer having jurisdiction to adjudicate complaints of discriminatory practices has made a decision upon a complaint based upon the same events.
- 4 Upon receipt of a complaint wherein the allegations, if true, would support a finding of an unlawful employment practice, the OOD Director shall immediately notify the County Manager, the Chief Financial Officer, the Chief Administrative Officer, and the County's Equal Opportunity Committee. The OOD Director will also notify the affected department head. Each will be provided a summary of the charge and, as appropriate, a request for information or request for a response to the allegations set forth in the complaint.
- 5 The County Manager may assign an investigation to be conducted outside the OOD to obtain specialized expertise or to avoid any appearance of conflict of interest, in which case the outside investigator will act in lieu of OOD for that complaint.
- 6 The OOD or outside investigator shall investigate the allegations of the complaint. When practical, all interviews shall be recorded and made part of the record of the investigation along with all associated documents and other material. Written findings of the investigation shall be fully substantiated. All information gathered in the course of investigations is confidential except as otherwise mandated by law.
- 7 In the event of a complaint alleging unlawful discrimination or harassment by an elected official, including members of the Board of County Commissioners, the complainant may be referred to an appropriate state or federal administrative enforcement agency. Referral of a complaint in this manner does not limit the County's ability to take remedial measures as it deems appropriate in light of the allegations in the complaint.

- 8 County employees and applicants may, at any time during the process, or at its completion, seek relief outside the County in accordance with the provisions of applicable federal or state statutes.

E. Settlement and Remediation of Claims and Complaints

1. If the County determines that unlawful discrimination or sexual harassment has occurred, appropriate remedial action shall be taken under the direction of the County Manager. All communications regarding settlements or other action having fiscal impact will be supervised by the Finance Department. All necessary training will be coordinated by the OOD. The County Manager may assign staff or outside resources to mediate among the parties.
2. If the County determines that unlawful discrimination or sexual harassment has occurred, remedial action, including, if necessary, discipline commensurate with the severity of the violation shall be undertaken by staff as directed by the County Manager. After the County has made a finding, the complainant may not proceed on the same facts and legal theory before any other County administrative body or officer.

# DISCRIMINATION/HARASSMENT COMPLAINT REPORTING PROCEDURES

An individual who believes that he or she has been subject to discrimination or sexual harassment should follow the reporting procedures shown below:

**Report complaint to  
immediate  
supervisor/manager**

and/or

**Clark County Government's  
Office of Diversity (OOD)  
at (702) 455-5760**

- Employees are encouraged to follow this internal complaint procedure, however, an employee may also file a complaint with the Nevada Equal Rights Commission (NERC) at (702) 486-7161 or the Equal Employment Opportunity Commission (EEOC) at (702) 388-5099.
- If a supervisor/manager receives a complaint from an employee, the supervisor/manager is to report the complaint to the OOD.
- Employees may contact NERC or EEOC directly to file a discrimination complaint, even if they have filed a complaint with the OOD.
- Employees generally have 300 days to file a complaint after the latest occurrence of alleged discrimination/harassment.



## COMPLAINT CONTACT OPTIONS:

### Clark County Office of Diversity

500 S. Grand Central Pkwy, 5<sup>th</sup> Floor  
Las Vegas, Nevada 89155  
Voice: 455-5760 Fax: 455-5759

### Nevada Equal Rights Commission

Park Sahara  
1820 E. Sahara Avenue, Suite 314  
Las Vegas, NV 89104  
Voice: 486-7161

### Equal Opportunity Commission

333 Las Vegas Blvd South, Suite 8112  
Las Vegas, Nevada 89101  
Voice: 388-5099



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